

## REQUEST FOR COUNCIL ACTION

MEETING  
DATE: 04-21-03

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AGENDA SECTION: CONSENT AGENDA	ORIGINATING DEPT: PLANNING	ITEM NO. D-13
ITEM DESCRIPTION: Orderly Annexation Petition #03-09 by Big De Development Company to annex 32.82 acres of land located east of Bandel North Subdivision and north of Boulder Ridge Lane NW. The property is located in a part of the NE ¼ of the NE ¼, Section 9, Cascade Township.		PREPARED BY: Theresa Fogarty, Planner

April 15, 2003

### **Planning Department Recommendation:**

See attached staff report, dated April 15, 2003.

The property taxes payable in the year an annexation is effective will be paid to the Township. For the five year following annexation, the City will make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The 2003 Township portion of the taxes, on the property to be annexed, is **\$92.32**.

### **Council Action Needed:**

1. If the Council wishes to proceed as petitioned, they shall sign the amendment prepared by the City Attorney to the Cascade Township Orderly Annexation Agreement indicating that the 32.82 acres of land located east of Bandel North Subdivision and north of Boulder Ridge Lane NW be annexed without hearings by the Minnesota Municipal Board.
2. The signed amendment should be transmitted to the MMB by the City Clerk (attached is a filing fee in the amount of \$65.64)

### **Attachments**

1. Staff report, dated April 15, 2003.

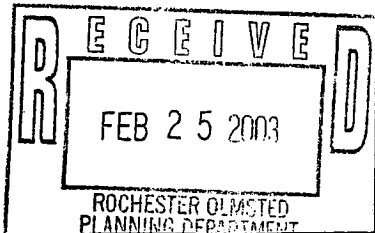
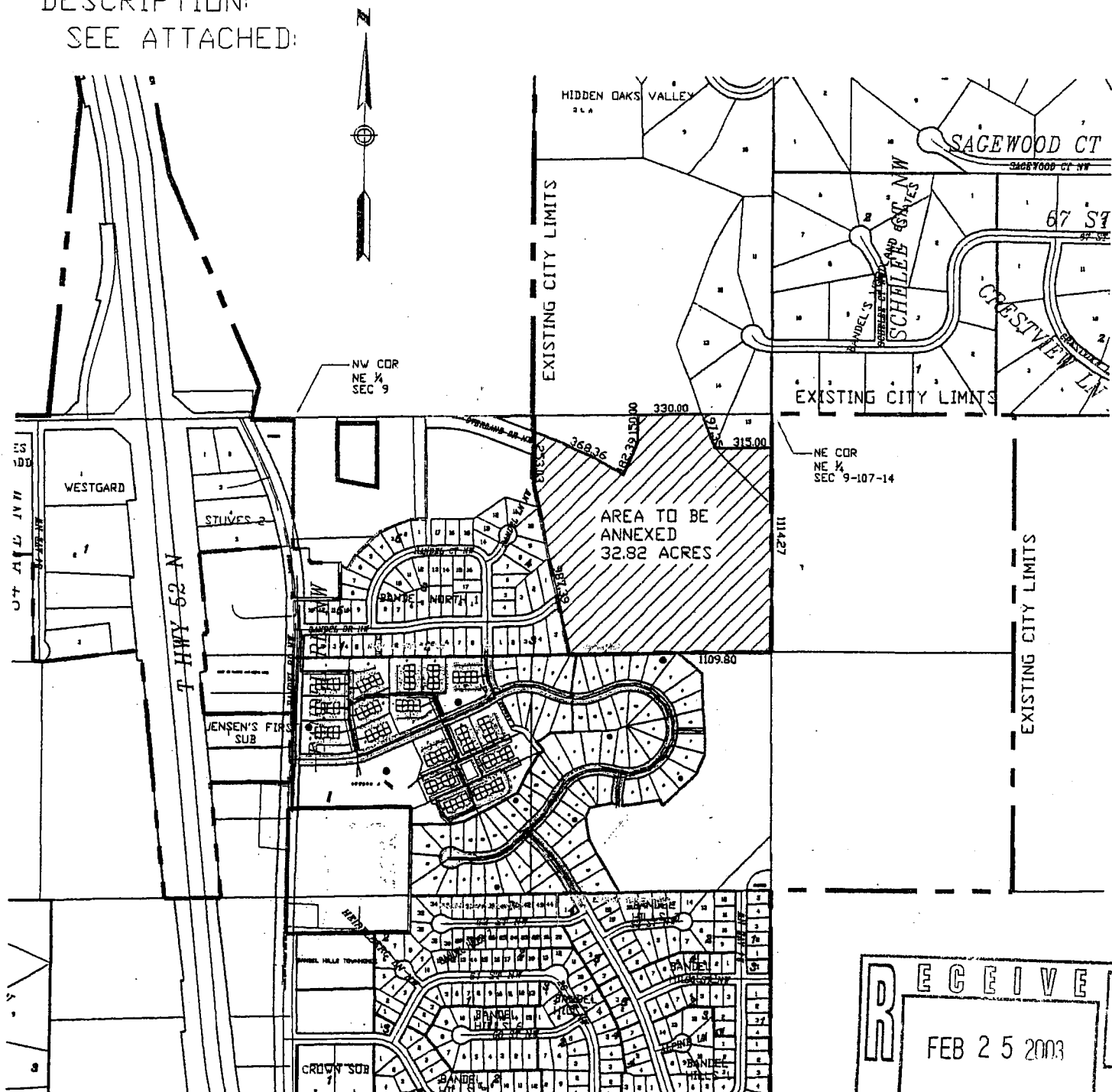
### **Distribution:**

1. City Administrator
2. City Clerk: Filing Fee Attached
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, April 21, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. McGhie & Betts, Inc.

**COUNCIL ACTION:** Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to:

# ANNEXATION EXHIBIT

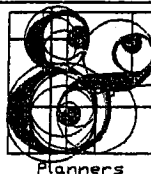
DESCRIPTION:  
SEE ATTACHED:



FOR 'BIG DE DEVELOPMENT CO.  
706 CO. RD. 3 N.W.  
BYRON, MN 55920

JOB NO. 1084C/2345

McGhie  
Consulting Engineers

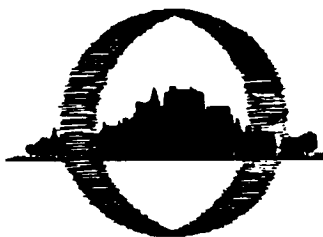


Betts, Inc.  
Land Surveyors

1548 3rd AVE. S.E. Rochester, MN 55904 507-289-3919

SCALE: 1" = 800'  
DRAWN BY: K.S.  
DATE: 2/14/03  
ACCT. NO.: 1084C/2345  
CADD NO.: ANNEX-EXHIBIT

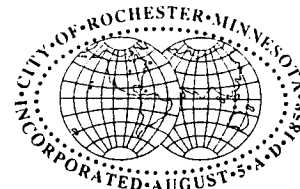
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# ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF  
*Olmsted*



**TO:** City Council

**FROM:** Theresa Fogarty, Planner

**DATE:** April 15, 2003

**RE:** Annexation Petition #03-09 by Big De Development Company to annex 32.82 acres of land located east of Bandel North Subdivision and north of Boulder Ridge Lane NW. The property is located in a part of the NE ¼ of the NE ¼, Section 9, Cascade Township

## Planning Department Review:

**Applicants/Owners:**

Big De Development Company  
Joel Bigelow  
706 County Road 3 NW  
Byron, MN 55920

**Existing Land Use:**

This property is currently undeveloped land.

**Existing Zoning:**

The property is zoned R-1 (Residential) on the Olmsted County zoning map.

**Future Zoning:**

Upon annexation, the property will be zoned R-1 (Mixed Single Family Residential) district on the Rochester zoning map.

**Land Use Plan:**

This property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.

**Orderly Annexation Agreement:**

A Joint Resolution for orderly annexation for certain property situated in the Town of Cascade, Olmsted County, State of Minnesota was executed by Cascade Township on May 5, 1976 and the City of Rochester on May 17, 1976. This property is included in the Joint Resolution.

**Utilities:**

Pursuant to Minnesota Statutes 414.033 (subd.13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

**Townboard Review:**

An Amendment for this property, to the Joint Resolution for Orderly Annexation with Cascade Township has been executed by the Cascade Townboard.



**Report Attachments:**

1. Annexation /Location Map

**Staff Recommendation:**

The Joint Resolution for Orderly Annexation between the City of Rochester and the Town of Cascade allows immediate annexation of said property for orderly annexation to the City of Rochester. In such instances, review by the Rochester Planning and Zoning Commission shall not be required to the City acting upon said request.

The Town of Cascade has executed the Amendment to the Joint Resolution, therefore, staff recommends that the City adopt the Amendment to the Joint Resolution for Orderly Annexation annexing the 32.82 acres of land located east of Bandel North Subdivision and north of Boulder Ridge Lane NW located in a part of the NE ¼ of the NE 1/4 , Section 9, Cascade Township.